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EXAMINER				
VU,NGOC K				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

09/698,915

Applicant(s)

TRANCHINA, JAMES R.

Examiner

NGOC K. VU

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14 and 16-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14 and 16-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Response to Arguments

1. Applicant's arguments filed 1/18/2008 have been fully considered but they are not persuasive.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation for the rejection is found in the knowledge generally available to one of ordinary skill in the art. Particularly, Treyz of the record discloses the location of vehicle media system 14, e.g., in a housing between the driver and front-seat passenger, near the roof-line of the automobile, etc. See col. 13, lines 14-25. Treyz further discloses that it may be necessary to only display driving-related information or the like to the driver, e.g., driving direction, when the car is being operated in order to avoid distracting the driver. Any suitable information, e.g., movie, is displayed to passenger, but not the driver, for viewing. See col. 17, lines 28-40.

With respect to claims 1, 25, 26, and 27, Treyz discloses that display device (88) is the primary display device for the media system 14. It may be necessary to only display driving-related information or the like to the driver, e.g., driving direction, when the car is being operated in order to avoid distracting the driver. See col. 13, lines 52-57; col. 17, lines 28-40. In other words, the driver mostly does not view the content displayed on display device to concentrate on driving. Thus, Treyz's display device is the primary display device for the media system and is positioned for principal viewing by passengers.

Treyz does not explicitly teach the automobile personal computer integrated in an overhead console for a vehicle comprising an assembly housing adapted to mount against an interior surface of the vehicle; the display device pivotally mounted to the assembly housing and movement of the display device is limited to pivoting, and wherein the display device is positioned overhead on the console. However, Allan discloses a vehicle ceiling television system comprising an overhead TV housing having a front edge from which a flat screen or display device pivots adjustably downward from stowage space. See abstract; figures 1-2; col. 1, lines 32-42; col. 2, lines 29-32. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Treyz by having an overhead console comprising an assembly housing adapted to mount against an interior surface of the vehicle, and the display device pivotally mounted to the assembly housing and movement of the display device is limited to pivoting, and wherein the display device is positioned overhead on the console as taught by Allan in order to arrange conveniently an entertainment system in a vehicle in a manner to save space in the vehicle.

With respect to claim 28, applicant's failure to adequately traverse the examiner's taking of Official Notice in the last Office Action is taken as an admission of the fact(s) noticed.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7-12, 14, and 16-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Treyz et al. (US 6,526,335 B1) in view of Allan et al. (US 6,339,455 B1).

Regarding claims **1, 25, 26, and 27**, Treyz teaches an automobile computer system (14 – see figure 1); comprising: a wireless receiver/transmitter (RF receiver/transmitter within 132) adapted to receive signals from at least one video input source and send the signal (see col. 11, lines 21-23; col. 15, lines 4-8; col. 12, lines 21-44 and 54-61; col. 48, lines 1-3); a display device (88) operatively coupled to said receiver, wherein the display device is adapted to reproduce the signals (see col. 13, lines 52-52-53; col. 19, lines 55-58; col. 58, lines 47-50); a processor (72-78) adapted to execute applications (e.g., applications 286-288); and a computer operating system (284) adapted to manage the applications (see col. 18, lines 41-62), wherein the wireless receiver, the display device, the processor and the operating system are connected by a bus (wire or line - see figure 3), and media is wirelessly sent for display from one of a portable computer or cellular phone (see col. 10, lines 25-29; col. 27, lines 6-9; col. 79, lines 45-55; col. 88, lines 39-53). Further regard claim 25, Treyz discloses that the automobile computer system may run a web browser to provide users with access to Internet content (see col. 58, lines 25-30). Further regard claim 27, Treyz further teaches that user may interact with automobile personal computer 14 by using user input interface such as device 316 over wireless link. The user may adjust settings for the automobile personal computer system such as adjusting settings related to an application running on the automobile personal. The user may change settings by using user input interface. Feedback from the automobile personal computer may be provided as visual information on display. The adjusting settings are described in connection with arrangement of figure 15 such that email alert settings included options 336, 338, 340 and/or radio settings included options 342 are displayed on screen. (See col. 20, lines 24-37; col. 19, lines 46-50 and 55-58; and figure 15).

With respect to currently amended claims, 1, 25, 26, and 27, Treyz discloses that display device (88) is the primary display device for the media system 14. It may be necessary to only display driving-related information or the like to the driver, e.g., driving direction, when the car is being operated in order to avoid distracting the driver. See col. 13, lines 52-57; col. 17, lines 28-40. In other words, the driver mostly does not view the content displayed on display device to concentrate on driving. Thus, Treyz's display device is the primary display device for the media system and is positioned for principal viewing by passengers.

Treyz does not explicitly teach the automobile personal computer integrated in an overhead console for a vehicle comprising an assembly housing adapted to mount against an interior surface of the vehicle; the display device pivotally mounted to the assembly housing and movement of the display device is limited to pivoting, and wherein the display device is positioned overhead on the console. However, Allan discloses a vehicle ceiling television system comprising an overhead TV housing having a front edge from which a flat screen or display device pivots adjustably downward from stowage space. See abstract; figures 1-2; col. 1, lines 32-42; col. 2, lines 29-32. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Treyz by having an overhead console comprising an assembly housing adapted to mount against an interior surface of the vehicle, and the display device pivotally mounted to the assembly housing and movement of the display device is limited to pivoting, and wherein the display device is positioned overhead on the console as taught by Allan in order to arrange conveniently an entertainment system in a vehicle in a manner to save space in the vehicle.

Regarding claim 2, Treyz further teaches that the wireless signals are radio frequency (see col. 15, lines 4-8; col. 15, lines 4-8; col. 12, lines 21-44 and 54-61; col. 48, lines 1-3).

Regarding claim **3**, Treyz further teaches that the input source from DVD player includes circuitry for producing video signals and the input source comprises a wireless transmitter for transmitting the wireless signals (see col. 13, lines 58-60;).

Regarding claims **4** and **9**, Treyz further teaches that the console further comprise a wireless joystick or mouse detachable from the console (see col. 14, lines 49-51).

Regarding claim **11**, Treyz further includes signal processing facilities adapted to perform signal processing with respect to the wireless signals (see col. 13, lines 44-51; col. 11, lines 5-9).

Regarding claim **14**, Treyz further teaches a wireless transmitter (e.g., 146, 150) (figure 3; col. 15, lines 4-8).

Regarding claims **16** and **17**, Treyz further teaches that the display liquid crystal display that is based upon an active matrix (see col. 13, lines 52-54).

Regarding claim **18**, Treyz further teaches touch screen feature (see col. 20, lines 30-34; col. 28, lines 52-56).

Regarding claim **19**, the combination of Treyz and Allan teaches that wireless receiver is disposed within the display device (see Allan: figure 4).

Regarding claim **20**, Tryez teaches that the wireless receiver is disposed external to the display device (see figure 3).

Regarding claim **21**, Treyz further teaches that the wireless signals comprise audio/video (see col. 13, lines 44-51; col. 11, lines 5-9).

Regarding claim **22**, Treyz further teaches that the wireless receiver comprises an antenna (figure 3).

Regarding claim **23**, Treyz further teaches that the wireless comprises an antenna (see figure 3).

Regarding claim **24**, Allan as modified Treyz teaches that the assembly housing is adapted to mount against a roof of the vehicle (see figures 1-2; col. 1, lines 5-6 and 31-36).

Regarding claim **28**, the combinations of Treyz and Allan fails to teach that wireless transmitter is adapted to be detachable from the console. Official Notice is taken that both the concept and advantages of providing vehicle consoles with detachable controllers (i.e., wireless transmitters) are well known in the art. Consoles with detachable controllers are well known in vehicles, wherein devices utilized with the console are attached to the console when not in use and are further detachable, so that a passenger may utilize the device and return the device to the console for storage to prevent loss or damage to the device. Therefore, it would have been obvious to one of ordinary skill in the art to modify the combined system of Treyz and Allan to incorporate the wireless transmitter is detachable from the console so that a passenger may utilize the device and return the device to the console for storage to prevent loss or damage to the device.

Regarding claim **29**, Treyz further teaches that the wireless transmitter, i.e., remote control, for operating an automobile personal computer system. A wireless remote control which outputs control signals in response to user selection of commands inherently discloses a processor and associated memory for executing and storing programs because the remote control is necessarily executing programs which are stored on the remote control, which also necessarily requires a processor to execute for programs, wherein the remote control receives an input, associates the input with a corresponding command, and subsequently generates the particular command signal to be transmitted to the receiving device.

Regarding claim **35**, Treyz include that the control modules are selected via touch screen controls displayed on the display device (see col. 20, lines 31-34; col. 28, lines 52-56 and figure 15).

Regarding claim **31** and **32**, Treyz further teach wireless signals are infrared or optical (col. 12, lines 64-67)

Regarding claim **33**, Treyz as modified by Allan shows that the display device pivots downward and away from the assembly housing from a stowed position to a viewing position (see Allan: figures 1-2; col. 2, lines 29-35).

Regarding claim **34**, Treyz as modified by Allan shows that the display device pivots downward and away from the assembly housing from a stowed position to a viewing position (see figures 1-2; col. 2, lines 29-35).

Regarding claims **7-8**, Treyz further teach the system further comprising a web browser to interact with one of the Internet and the World Wide Web using wireless application protocol (see figure 3; col. 16, lines 17-19; col. 20, lines 62-65; col. 38, lines 55-65; col. 58, lines 42-46).

Regarding claim **10**, Treyz further teach the system further comprising a voice recognition system (see col. 13, lines 44-49; col. 19-20, lines 63-12; col. 39, lines 38-47).

Regarding claim **12**, Allan as modified by Treyz further teach the text-to-speech system (see col. 20, lines 13-24; col. 73, lines 48-56).

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Treyz et al. (US 6,526,335 B1) in view of Allan et al. (US 6,339,455 B1) and further in view of Holloway et al. (US 6,256,317).

Regarding claim **5**, Allan and Wugofski fail to teach the wireless signals are transmitted through one of a packet-switched wireless network and a circuit-switched wireless network. However, Holloway teaches that a packet-switched network wherein wireless signals are utilized to transmit data between stations for the benefit of providing a multiple access network with improved performance, collision resolution, and multiple priority levels of access (see figure 1; col. 4, lines 12-44; figure 4; col. 6-7, lines 66-6; col. 4, lines 12-31). Therefore, it would have

been obvious to one of ordinary skill in the art to modify the combined system of Allan, Wugofski, and Treyz in order to incorporate the wireless signals are transmitted through a packet-switched wireless network as taught by Holloway in order to provide a multiple access network with improved performance, collision resolution, and multiple priority levels of access in a video distribution system.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGOC K. VU whose telephone number is (571)272-7306. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2623

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ngoc K. Vu/
NGOC K. VU
Primary Examiner
Art Unit 2623

April 21, 2008